

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>CHRISTOPHER HEATON,</b>	:	<b>CIVIL ACTION NO. 3:16-cv-0573</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Munley)</b>
	:	
<b>v.</b>	:	
	:	
<b>THERESA DELBALSO, <i>et al.</i>,</b>	:	
<b>DR. GUSTITUS,</b>	:	
	:	
<b>Defendants</b>	:	

.....  
**ORDER**

AND NOW, to wit, this 28<sup>th</sup> day of February 2017, upon consideration of defendants' motions (Docs. 22, 24) to dismiss plaintiff's complaint pursuant to Federal Rule of Civil Procedure 12(b)(6), and for the reasons set forth in the Court's Memorandum of this date, it is hereby ORDERED that:

1. Defendants' motions (Docs. 22, 24) to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) are GRANTED. Plaintiff's complaint is DISMISSED in its entirety.
2. The Clerk of Court is directed to CLOSE this case.
3. Any appeal from this order is DEEMED frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

**BY THE COURT:**

**s/James M. Munley  
JUDGE JAMES M. MUNLEY  
United States District Court**